

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

VINCENT De GIOVANNI et al,
and all others similarly situated,

Plaintiffs,

v.

JANI-KING INTERNATIONAL, INC.,
JANI-KING, INC., and
JANI-KING OF BOSTON, INC.,

Defendants.

Civil Action No. 07-10066-MLW

PLAINTIFFS' ASSENTED-TO MOTION TO CONSOLIDATE

In conjunction with Plaintiffs' request for preliminary approval of the proposed class action settlement, Plaintiffs hereby request that the Court consolidate this action with a later-filed case, Shanley et al v. Jani-King International, Inc. et al, C.A. No. 12-12146-FDS. As explained at the preliminary approval hearing, the Shanley case was filed in 2012, raising identical claims to this case, but purporting to cover a later class period than this case.¹

This case was certified as a class action in 2009. In 2012, the parties had discussions regarding the period of time covered by the class certification order in this case. Because this case was certified up to the date of certification in 2009, Plaintiffs filed a new case, the Shanley case, to cover the time period following 2009. Plaintiffs

¹ The Court directed the parties to submit this motion to consolidate by March 25, 2014. Counsel respectfully request that the Court accept this filing one day late. Counsel for the parties have been in court hearings, mediation, depositions, and traveling over the last several days, and were not able to finalize the revised documents until today.

A L WOOD
WCU. DJ
4/17/14